

18. A composition for preparing a thermoplastic elastomer, which comprises (A) 24 wt.% of propylene homopolymer principally containing propylene units of exactly alternating configuration and having a syndiotactic pentad fraction of 0.86 and (B) 76 wt.% of an ethylene-propylene-diene copolymer containing 74% ethylene content, and 0.39 parts per 100 based on the sum of (A) and (B) of  $\alpha$ - $\alpha'$ -bis (t-butyl peroxy) diisopropyl benzene.

19. A composition for preparing a thermoplastic elastomer, which comprises (A) 24 wt.% of propylene homopolymer principally containing propylene units of exactly alternating configuration and having a syndiotactic pentad fraction of 0.86 and (B) 76 wt.% of an ethylene-propylene-diene copolymer containing 77 % ethylene content, and 0.39 parts per 100 based on the sum of (A) and (B) of  $\alpha$ - $\alpha'$ -bis (t-butyl peroxy) diisopropyl benzene.

REMARKS

Reconsideration is respectfully requested.

The Examiner has rejected claims 1-10 as being anticipated under 35 U.S.C. § 102(e) over Masuda, et al. (U.S. 5,525,675). This is the patent with which Applicants have requested interference.

Certainly, Applicants have acknowledged that the disclosure of Masuda, et al. is commensurate with claims of the instant invention, as noted by the Examiner.

The Examiner states that the rejection is based on an effective filing date for the present application of January 8, 1997, because the limitations relating to the syndiotactic pentad of the instant propylene homopolymers are neither disclosed or suggested in the parent applications.

In response, Applicants have rewritten claims 6-9 in independent form. These claims are based on the use of specific syndiotatic polypropylene homopolymers disclosed in Applicants' parent applications, which homopolymers have a syndiotatic pentad fraction of 0.86 and 0.87, such being inherent in the homopolymers themselves. Thus, claims 6-9 are fully supported by Applicants' parent applications. This antedates Masuda, et al. As a result, Applicants submit either an interference must be declared or if not a patent should issue including Applicants' claims 6-9 rewritten in independent form as claims 11-14.

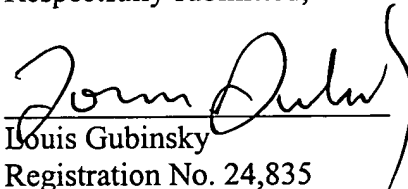
In addition, Applicants have added claims 17-19 directed to three specific formulations of Applicants' Example 1. This Example is found in Applicants' parent applications. Thus, claims 17-19 are clearly allowable. Again, either interference should be declared, which is Applicants' position, or claims 17-19 should be indicated to be allowable since they are without question based on Applicants' parent disclosure, antedating Masuda et al.

Early indication of allowability is respectfully requested.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

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Respectfully submitted,

  
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